IN THE HIGH COURT OF JUDICATURE AT PATNA

Cr.Misc. No.16931 of 2008

BISHWANATH RAI

Versus

STATE OF BIHAR

3/ 24.6.2008 Learned counsel for the petitioner is permitted to correct paragraph 9 of this application.

Heard learned counsel for the parties.

The present case has been registered for offence under Sections 395 and 397 of the Indian Penal Code against two named accused Kailash Mandal and Binder Ram and 7-8 unknown regarding dacoity in the house of the informant Arbind Kumar.

Submission is that the petitioner is not named in the first information report and his name has come only in the confessional statement of co-accused. Further submission is that the petitioner has not been put on test identification parade and there is no recovery from him. He is in jail custody since 28.7.2007.

Considering the facts and circumstances of the case, let petitioner Bishwanath Rai be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of 3rd Additional Sessions Judge, Muzaffarpur in Sessions Trial No. 630 of 2007.

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Tahir/- **(Shyam Kishore Sharma, J.)**